



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FULLER, James T.
Title: MINIMAL PROMOTERS AND
USES THEREOF

Appl. No.: 09/421,778

Filing Date: 10/19/1999

Examiner: Quang NGUYEN

Art Unit: 1636

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.56

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR § 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR § 1.97(i). If, however, the Examiner agrees to withdraw the finality of the Office Action, then the listed documents are being submitted in compliance with 37 CFR § 1.97(c), before the mailing date of either a final action under 37 CFR § 1.113, a notice of allowance under 37 CFR § 1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP § 609.

FEE

No fee is required under 37 CFR § 1.97(i). If, however, the Examiner agrees to withdraw the finality of the Office Action, then a fee in connection with the submission of the information disclosure statement under 37 CFR § 1.97(c) in the amount of \$180.00 in accordance with 37 CFR § 1.17(p) is required. In that case, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 19-0741.

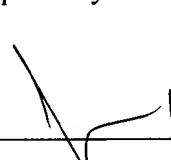
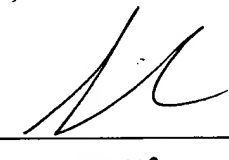
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

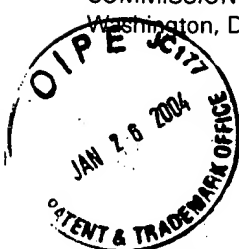
Date 26 JANUARY 2004

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COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



FORM PTO-1449 (Modified)
LIST OF PATENTS AND PUBLICATIONS
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(Use several sheets if necessary)
Sheet 1 of 4

In the Application of

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Title:

U.S. PATENT DOCUMENTS

Exam. I nit.	Ref. Desig.	Document No.	Date	Name	Class	Sub Class	Filing Date
		4,629,782	12/16/86	Chan et al.			
		4,980,286	12/25/90	Morgan et al.			
		4,981,782	Jan. 1, 1991	Judd et al.			
		5,036,006	Jul. 30, 1991	Sanford et al.			
		5,091,188	2/25/92	Haynes			
		5,179,022	1/12/93	Sanford et al.			
		5,371,015	12/6/94	Sanford et al.			
		5,478,744	12/26/95	Sanford et al.			
		5,658,892	8/97	Bellhouse et al.			
		5,899,880	5/4/99	Bellhouse et al.			
		6,004,286	12/21/99	Bellhouse et al.			
		6,010,478	1/4/2000	Bellhouse et al.			
		6,013,050	1/11/2000	Bellhouse et al.			

FOREIGN PATENT DOCUMENTS

Examiner:

Date Considered:

EXAMINER: Initial if citation considered whether or not the citation conforms with MPEP609. Draw a line through the citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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Exam. Init.	Ref. Desig.	Document No.	Publication Date	Country or Patent Office	Class	Sub Class	Translation	
							YES	NO
		WO 89/05349	June 15, 1989	PCT				
		WO 90/01949	March 8, 1990	PCT				
		WO 91/00359	Jan. 10, 1991	PCT				
		WO 91/07487	5/30/91	PCT				
		WO 93/19183	Sept. 30, 1993	PCT				
		WO 94/09819	5/11/94	PCT				
		WO 94/21797	Sept. 29, 1994	PCT				
		WO 95/19799	7/27/95	PCT				
		WO 95/20660	Aug. 3, 1995	PCT				
		WO 96/04947	2/22/96	PCT				
		WO 96/25190	8/22/96	PCT				
		WO 97/32987	9/12/97	PCT				
		WO 97/40163	10/30/97	PCT				
		WO 97/47730	12/18/97	PCT				
		WO 98/46263	10/22/98	PCT				
		EP 0213894A3	March 11, 1987	EP				

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Exam. Init.	Ref. Desig.	Document No.	Publication Date	Country or Patent Office	Class	Sub Class	Translation YES NO	
		EP 0390435 A	10/3/90	EP				
		EP 0821195 A	1/28/98	EP				

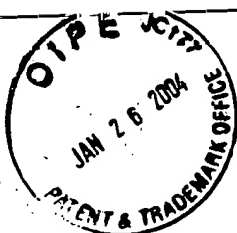
OTHER DOCUMENTS (including Author, Date, Journal, Volume, Pertinent Pages, etc.)

Exam. Init.	Ref. Desig.	Description
		"Remington's Pharmaceutical Sciences (1980) Mark Publishing Company, Pennsylvania, pp1483-1484 and 1535
		Townsend et al. (1984) <i>Cell</i> <u>39</u> :13
		Townsend et al. (1985) <i>Prog. Allergy</i> <u>36</u> :10
		Sanford et al. (1987) "Delivery of substances into cells and tissues using a particle bombardment process," <i>Particulate Science and Technology</i> <u>5</u> :27-37
		Klein et al (1987) "High velocity microprojectiles for delivering nucleic acids into living cells," <i>Nature</i> <u>327</u> :7-73
		Tang et al. (1988) <i>J. Virology</i> <u>62</u> :4745-4751
		Zelenin et al. (1989) "Genetic transformation of mouse cultured cells with the help of high-velocity mechanical DNA injection," <i>FEBS Letters</i> <u>244</u> :65-67

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Exam. Init.	Ref. Desig.	Description
		Milich (1989) <i>Advances in Immunology</i> <u>45</u> :195
		S.A. Johnston (1990) "Biolistic transformation: microbes to mice," <i>Nature</i> <u>346</u> :776-777
		Poznansky et al. (1991) <i>J. Virology</i> <u>65</u> :532-536
		Haynes et al. (1991) <i>Mol. Immunology</i> <u>28</u> :231-234
		Rhim et al. (1991) <i>J. Virology</i> <u>65</u> :4555-4564
		Rousseaux-Prevost et al. (1991) <i>Molecular Immunology</i> <u>28</u> :943-949
		Haynes et al. (1994) <i>Aids Res. and Human Retroviruses</i> <u>10</u> (suppl..2):S43-S45
		Sedegah et al. (1994) <i>Proc. Natl. Acad. Sci. USA</i> <u>91</u> :9866-9870
		Blaese et al. (1995) <i>Science</i> <u>270</u> :475-480
		Conry et al. (1996) <i>Gene Therapy</i> <u>3</u> :67-74
		Ciernik et al. (1996) <i>J. Immunology</i> <u>156</u> :2369-2375
		Sarphie et al. (1997) <i>J. Controlled Release</i> <u>47</u> :61-69

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